

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

KYLE M. PARKS,

Plaintiff,

:

Case No. 2:20-cv-00672

- vs -

District Judge James L. Graham

Magistrate Judge Michael R. Merz

SPECIAL AGENT RYAN SCHEIDERER,

Defendant.

:

DECISION AND ORDER GRANTING MOTION TO STRIKE

This is an action pursuant to 42 U.S.C. § 1983, brought *pro se* by federal inmate Kyle Parks to complain of Fourth Amendment violations by Defendant Scheiderer in gathering evidence which was used to convict Parks of human trafficking crimes. The case is before the Court on Defendant's Motion to Strike (ECF No. 36), filed in response to Plaintiff's "Notice of Opportunity to Cure Complaint" (ECF No. 31).

It is unclear to the Court what function Plaintiff's "Notice" is intended to serve. It purports to relate to ERISA, the Employee Retirement Security Act, which has nothing to do with this case. To the extent it somehow seeks to add to Plaintiff's Amended Complaint, it is improper as to form because it does not have a proposed amended complaint attached. Furthermore, the Magistrate Judge has recommended the Defendant's Motion to Dismiss be granted (Report and Recommendations, ECF No. 35).

Because the filing serves no legitimate purpose in the case, Defendant's Motion to Strike is hereby GRANTED.

November 30, 2020.

s/ *Michael R. Merz*
United States Magistrate Judge